

## REMARKS

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested. Claims 1-3 and 6-9 stand rejected.

### Rejections under 35 U.S.C. §102

Claims 1-3 and 6 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 2,396,816 to Boudreau. Applicant respectfully traverses this rejection.

In response, independent claim 1 has been further limited to "an elongated housing having an internal chamber configured to hold a plurality of laterally aligned cartridges entirely within the internal chamber." FIGs. 2A and 9A shows that the internal chamber 32 is configured to hold cartridges 17 entirely within the internal chamber.

Independent claim 1 has also been further limited to "a movable carriage disposed within the internal chamber for urging the aligned cartridges disposed between the moveable carriage and loading end along a longitudinal axis of the internal chamber towards the loading end." Support for this further limitation is provided at least by FIGs. 2A-B, 3A-B and 4A-B which clearly shows cartridges 17 between the movable carriage and loading end and where the moveable carriage urges the cartridges 17 along a

longitudinal axis of the clip 10 towards the loading end.

Independent claim 1 has also been further limited to "a spring that urges the movable carriage towards the loading end, said spring being disposed completely outside the internal chamber and extending parallel to the longitudinal axis, but laterally offset from the internal chamber." The spring "extending parallel to the longitudinal axis, but laterally offset from the internal chamber" is clearly shown in FIGs. 2B, 3A, 3B, 4A, 4B.

Claim 1 is now clearly differentiated from Boudreau. The claims are now limited to "an elongated housing having an internal chamber configured to hold a plurality of laterally aligned cartridges entirely within the internal chamber." As admitted by the Examiner, Boudreau does not provide an internal chamber where the cartridges are completely within the internal chamber.

The movement of the Boudreau cartridge 50 defines the outline of the internal chamber in FIGs. 3 and 4 of Boudreau. Since the spring 12 is shown directly underneath a portion of the cartridge 50, the spring 12 is not laterally offset from the internal chamber as required by claim 1. Since the spring 12 of Boudreau is not laterally offset from the internal chamber, Boudreau does not meet the limitations of claim 1.

Since the Boudreau chamber is not configured to hold a

plurality of cartridges entirely within the internal chamber and the Boudreau spring 12 is not laterally offset from the internal chamber, Boudreau does not do the same or any similar thing as that of the claimed invention. Since Boudreau does not do the same or any similar thing as that of the claimed invention, the rejections of claims 1-3 and 6 would now be improper and should be withdrawn.

#### Rejections Under 35 U.S.C. §103

Claim 7 has been rejected under 35 U.S.C. §103(a) as being obvious over Boudreau. Applicant respectfully traverses this rejection.

As noted above, Boudreau fails to provide any teaching or suggestion of a spring outside the internal chamber and laterally offset from the internal chamber. Since Boudreau fails to provide any teaching or suggestion of this claim limitation, the rejection is improper and should be withdrawn.

Claims 8 and 9 have been rejected under 35 U.S.C. §103(a) as being obvious over Boudreau in view of U.S. Pat. No. 2,441,735 to Warner. However, Warner (as with Boudreau) also fails to provide any teaching or suggestion of a spring outside the internal chamber and laterally offset from the internal chamber. Since the combination, inter alia, fails to teach or suggest this claim limitation, the rejections are improper and should be withdrawn.

Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,  
WELSH & KATZ, LTD.

By: 

Jon P. Christensen  
Registration No. 34,137

Date: December 22, 2006  
WELSH & KATZ, LTD.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606  
(312) 655-1500